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September 10, 1982

Mr. Tom Hall  
OSHA, Division of Consumer Affairs  
Room N-3635  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

Dear Mr. Hall:

The Scientific Apparatus Makers Association is delighted to submit additional information with respect to the OSHA proposed rulemaking on hazard communication published in the Federal Register of March 19, 1982. SAMA's additional comments are in response to a series of questions posed to us during our testimony on June 15, 1982. We have been delayed in submission of these additional comments so that we could base our responses on information received from a recently completed membership survey.

SAMA is a voluntary national trade association representing the major segments of the scientific and industrial instrumentation, equipment and related supplies industries. With over 180 member companies, SAMA represents the leading firms engaged in the design, manufacture, and distribution of over 40,000 types of high technology instruments and related products.

Many of our members manufacture chemicals, biologicals and other supplies used in clinical laboratories, industrial research and quality control laboratories.

SAMA testified on June 15th, seeking exemptions for the laboratory chemical industry from all requirements as proposed in 47 CFR 12092, March 19, 1982.

After we completed our formal presentation, the OSHA panel asked us a series of questions which sought additional information about the nature of research chemicals and their use. Several panel members asked that SAMA propose a definition for "research chemicals" to assist OSHA in development of exemption language.

So that SAMA could answer appropriately, we polled our manufacturers and users of research chemicals on this issue.

SAMA suggests that research chemicals be defined with the following language:

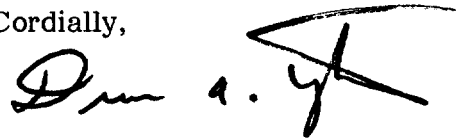
Small quantities of chemicals for research and development which may contain such amounts of a hazardous chemical which are introduced by an employer to be used, studied, or produced in the workplace which meet all of the following conditions: (1) the quantities are no greater than reasonably necessary for such purposes; (2) the quantities are limited to amounts used solely for such purposes; and (3) such research or development is conducted by, or directly supervised by a technically

qualified individual(s). Research or development means use for experimentation or analysis for the development of a product. A technically qualified individual means one who because of his education, training or experience, or a combination of these factors, is capable of appreciating the health and environmental risks associated with the chemical substance, which is used under his supervision.

The above definition for research chemicals is based upon a proposed regulation for implementing one aspect of the Toxic Substances Control Act 40 CFR §720.2 as published in the Federal Register of January 10, 1982 on page 2265.

SAMA will be happy to provide additional information if so requested by OSHA.

Cordially,

A handwritten signature in black ink, appearing to read "Drew A. Upton", with a large, stylized flourish at the end.

Drew A. Upton  
Staff Director  
Instrument Section  
and  
Manager, Regulatory Affairs

DAU/jmb